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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 2589/2019 and Crl. M.A. Nos. 35828/2019 & 35829/2019**

RADHE SHYAM & ORS. Petitioners

Through: Mr Nalin Kaushik, Advocate.

versus

THE STATE (NCT OF DELHI) & ORS. Respondents

Through: Mr Avinder Singh, ASC for State.
ASI Sita Ram, PS Baba Haridas
Nagar and ASI Devender Kumar, PS
Uttam Nagar.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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31.10.2019

1. The petitioners have filed the present petition, *inter alia*, praying that FIR bearing no. 484/2012, under Sections 498A/406/34 of the IPC registered with P.S. Uttam Nagar and all proceedings emanating therefrom, be quashed.
2. The said FIR was registered at the instance of respondent no.2. She is present in Court and states that she has resolved all her differences and disputes with the petitioners. Respondent no. 2 is identified by the investigating officer.
3. Respondent no.2 was married to one Surender on 16.09.2009 and a child was born from the said wedlock on 02.06.2011. In terms of the said

settlement, the minor child would remain in the custody of respondent no.2.

4. The petitioners have also deposited a sum of ₹1,25,000/- in a fixed deposit in the name of minor child under the guardianship of respondent no.2. In addition, they had also paid a sum of ₹75,000/- to respondent no.2. Respondent no.2 acknowledges the above and joins the petitioners in praying that the FIR be quashed.

5. It is seen that Surender has not been arrayed as a party to the present petition. It is also explained to respondent no.2 that the settlement arrived at between the petitioners and respondent no. 2 would not bind Surender. Notwithstanding the same, she states that she does not wish to pursue the FIR in question. She states that she has understood the implication of Surender not being made a party to the present petition or the settlement. She further states that she has had no contact with Surender for past eight years.

6. Notwithstanding the above, she prays and joins the petitioners in praying that FIR in question be quashed.

7. The petitioners are also present in Court and are identified by their counsel. They state that they have no grievance against respondent no.2 and have voluntarily settled all disputes with her.

8. In view of the settlements made by the petitioners and respondent no.2, this Court considers it apposite to allow the present petition.

9. Accordingly, FIR bearing no. 484/2012, under Sections 498A/406/34 of the IPC registered with P.S. Uttam Nagar and all proceedings emanating therefrom, are quashed.

10. The pending applications are disposed of.

11. The petitioners and respondent no. 2 shall sign this order as an acknowledgement of their statements recorded herein.

OCTOBER 31, 2019
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VIBHU BAKHRU, J